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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,683	07/02/2004	Markus Gerardus Van Doorn	2002P01062WOUS	6582

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

ANDRAMUNO, FRANKLIN S

ART UNIT	PAPER NUMBER
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2424

NOTIFICATION DATE	DELIVERY MODE
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12/20/2012

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/500,683

Applicant(s)VAN DOORN, MARKUS
GERARDUS**Examiner**

FRANKLIN ANDRAMUNO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/13/2012.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1-20 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1-20 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 4) ☐ Other: ____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/13/2012 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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1. Claims 1,3-5, 7-12 and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable by Myer et al (US 6,615,088 B1) in view of Buchner et al (US 2002/0069063 A1) in view of Kawasaki et al (US 6,988,070 B2). Hereinafter referred as Myer, Buchner and Kawasaki.

Regarding claims 1, 5, 8, 12 and 20, Myer discloses a method, system and computer program of controlling a user experience in an environment including a plurality of network connected application devices by a server connected to the network **(figure 2 shows a plurality of application devices lighting systems (52), audio visual systems (53), security systems (54), fire protection systems (50) all connected to control network server (40))**, the method, system and computer program comprising acts of: receiving from the plurality of application devices input documents reflecting the status of the respective plurality of application devices **(column 3 lines 17-38)**. Myer further teaches generating output documents for one or more of the plurality of application devices **(The specs of the application teach on [page 1 lines 22-29] in the world of the internet that web users express their information needs explicitly by clicking a hyperlink or by entering a textual query in an hypertext markup language form field of a browser running on a client. This information is processed at the server side, and another html document that contains the results is sent back to the web server on the client side. Therefore, the outputting of documents is referred as the hypertext markup language which is what Myer teaches on column 3 lines 45-54 and column 4 lines 9-27)**, the output documents comprising at least one instruction **(column 4 lines 51-59)** and at least in

part on the received input documents (**column 4 lines 60-67**); sending at least one of the output documents to each of the one or more application devices of the plurality of application devices participating in the user experience (**column 5 lines 1-25**); and upon receipt of the at least one output document (**column 2 lines 31-51**), at least one of the one or more participating application devices performing the at least one instruction (**column 4 lines 28-50**).

However, Myer is silent in teaching retrieving identification of one or more users present, at least one instruction based at least in part on the retrieved identification of the one or more users and at least in part of the received input. In analogous art, Buchner teaches on (**page 4 paragraphs (0049)-(0050)**) one speech unit can contain personalized information of one user or different users. The personalized speech unit can be used for speaker verification purposes. It verifies the words of a speaker and allows the control of selected devices. Buchner further teaches at least one instruction based at least in part on the retrieved identification of the one or more users (**the answer to this message of the user to the speech unit is VCR page 6 paragraph (0068)**) and at least in part on the received input (**now the speech unit determines that the user did provide enough information to control a specific network device. Therefore, it transmits the corresponding user-network-command play to the VCR address via the network page 6 paragraph (0068)**); Buchner further teaches sending at least one of the output to each of the one or more application devices of the plurality of application devices participating in the user experience (**page 7 paragraph (0080)-(0083)**).

Therefore, it would have been obvious at the time of the invention to modify Myer's reference to include the teachings of Buchner to retrieve identification of one or more users present in the environment. This is a useful combination because the system is able to control appliances remotely. This is great for clients that want to control their devices when they are away from their home on vacation or business.

However, Myer and Buchner are silent in teaching identifying a user environment. Kawasaki teaches on **(column 2 lines 24-36)** the system includes human presence sensors which are to be installed in different rooms of the house and a detection signal indicative of a particular one of the rooms where the user is present. The program is designed to include a room locating module which identifies the particular room with reference to the detection signal and instructs to issue the voice message from the speaker belonging to thus identified room.

Therefore, it would have been obvious at the time of the invention to modify Myers and Buchner's references to include the teachings of Kawasaki to identify a user environment. This is a useful combination because the system is able to detect a user moving from one room to another and restrict the information supplied depending on the environment.

Regarding claim 7, Myer, Buchner and Kawasaki disclose the system, according to claim 5 Myer teaches the system is a computer system **(page 4 paragraph (0052))**.

Regarding claims 3, 9, 14, and 17, Myer, Buchner and Kawasaki disclose the method, system and computer program according to claims 1, 2 and 12-13, Myer teaches the input and output documents are coded in at least one of Hyper Text Markup Language, Scalable Vector Graphics, Resource Description Framework and Extensible Markup Language (**column 3 lines 45-54**).

Regarding claims 4, 10-11, 15-16, and 18-19, Myer, Buchner and Kawasaki disclose the method, system and computer program according to claims 1, 5, 9, 12-13, 17 and 20, Buchner teaches the application devices comprise at least one of Web tablet, set-top box, VCR, TV, PDA, lamp, coffee machine, radio, telephone, background wall, DVD player and electronic information panel (**page 1 paragraph (0002)**).

Claims 2, 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Myer et al (US 6,615,088 B1) in view of Buchner et al (US 2002/0069063 A1) in view of Kawasaki et al (US 6,988,070 B2) in view of Williamson (US 2003/0084047 A1). Hereinafter referred as Myer, Buchner, Kawasaki and Williamson.

Regarding claims 2, 6, and 13, Myer, Buchner and Kawasaki disclose the method, system and computer program according to claims 1, 5 and 12, Buchner teaches comprising acts of: retrieving a user profile based on the identification of the one or more users (**page 4 paragraph (0049)-(0050)**); Buchner teaches retrieving a

context profile (**page 6 paragraph (0068)**). Kawasaki further teaches relating to the environment (**column 2 lines 24-36**).

However, Myer, Buchner and Kawasaki are silent in teaching the server is enabled to retrieve user profile. Williamson teaches on (**page 3 paragraph (0039)**) the web server has a database of user profiles with at least one user profile associated with each intelligent controller.

Therefore, it would have been obvious at the time of the invention to modify Myer's, Buchner's and Kawasaki's references to include the teachings of Williamson of a server enabled to retrieve user profile. This is a useful combination because the system is able to register user settings and configure automatically specific behaviors for user interactions.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKLIN ANDRAMUNO whose telephone number is (571)270-3004. The examiner can normally be reached on Mon-Fri 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pankaj Kumar can be reached on (571)272-3011. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Pankaj Kumar/

Supervisory Patent Examiner, Art Unit 2424